

STATE OF WEST VIRGINIA,
COUNTY OF GILMER, TO-WIT:

At a Regular Session of the County Commission of Gilmer County, West Virginia held at the courthouse thereof on Friday, the 6th day of April 2018.

PRESENT: Larry B. Chapman, President, John D. Bennett and Brian Kennedy Commissioners thereof.

A quorum being present, the meeting was called to order by President Larry B. Chapman at 9:00 a.m. with the Pledge of Allegiance to the Flag of the United States of America.

See file for list of people present for all or portions of the County Commission meeting.

See File # 593

Phyllis Starkey a concerned citizen appeared before the Commission to discuss the issue of the Commission lay off employees due to not having money. Ms. Starkey feels that employees should have been given a hearing and that rules and regulations should be set in place before employees are let go.

Sharon Kesslering, representative for American Red Cross appeared before the Commission to give an update of the various activities that have been going on the Gilmer County.

Jessica Greenlief, representative from Family Resource Network appeared before the Commission to request that April be declared Alcohol Awareness Month and Child Abuse Prevention Month in Gilmer County.

Commissioner John D. Bennett entered a motion that President Larry B. Chapman be authorized to sign the resolution on behalf of the Commission proclaiming the month of April 2018 as Child Abuse Prevention Month in Gilmer County. Motion carried by unanimous vote.

See File # 594

Commissioner Brian Kennedy entered a motion that President Larry B. Chapman be authorized to sign the resolution on behalf of the Commission proclaiming the month of April 2018 as Alcohol Abuse Prevention Month in Gilmer County. Motion carried by unanimous vote.

See File # 595

Andrew Parker, representative for Global Science and Technology appeared before the Commission to discuss different options on different companies that offer internet service at a cheaper rate than Global.

The Commission asked Mr. Parker to let them know the amount Lumos would charge for the internet service by the next Commission meeting.

Mr. Parker presented a proposal for Network Security/Network Management Support.

The Commission informed Mr. Parker that at this time the county has financial issues and they are not able to consider this proposal at this time.

See File # 596

Upon consideration the Commission unanimously agreed to approve seven exonerations from erroneous assessment.

Upon application of Daniel R. Hall and Felicia D. Hall whose address is P O Box 1, Glenville WV 26351 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$5,895.00 on Vehicles in Troy District, Gilmer County, West Virginia, assessed at \$5,895.00 in and for the year 2017. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2017. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief: Exonerate ticket. Split assessment per divorce agreement. Supp ticket # 80000289 and 80000290.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Upon application of Jack D. McCune and Ellen J. McCune whose address is 4695 WV HY 5W, Glenville WV 26351 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$2,634.00 on 1979 Liberty MH in DeKalb District, Gilmer County, West Virginia, assessed at \$2,634.00 in and for the year 2017. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2017. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief: Exonerate ticket #09644768 with value of \$2,634.00 and taxes of \$50.10. Owner no longer owned MH. Owner was late turning in assessment.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Upon application of Elizabeth Ann Greenlief whose address is P O Box 434, Glenville WV 26351 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$10,230.00 on 2007 CADI ESCA, VIN#1GYFK63817R267673 in Glenville District, Gilmer County, West Virginia, assessed at \$10,230.00 in and for the year 2017. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2017. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief:
Exonerate portion of tax ticket #3041541, for a 2007 CADI ESCA VIN# 1GYFK63817R267673, with a value of \$10,230.00 and taxes of \$194.60. Taxpayer did not own vehicle as of July 1, 2016.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Upon application of James R. Luzader and Sherry F. Luzader whose address is P O Box 107, Sand Fork WV 26430 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$2,280.00 on 2004 Jeep in Glenville District, Gilmer County, West Virginia, assessed at \$2,280.00 in and for the year 2017. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2017. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief:
Supplemental ticket for 2011 Jeep, Jeep 2017-80000283.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Upon application of James R. Luzader and Sherry F. Luzader whose address is P O Box 107, Sand Fork WV 26430 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$2,400.00 on 2004 Jeep in Glenville District, Gilmer County, West Virginia, assessed at \$2,400.00 in and for the year 2016. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2016. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief:
Supplemental ticket for 2001 Jeep 2016-80000572.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Upon application of Judson F. Mackey and Alice A. Mackey whose address is 654 Long Run Road, Sand Fork WV 26430 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$2,335.00 on 2008 Chev in Glenville District, Gilmer County, West Virginia, assessed at \$2,335.00 in and for the year 2016. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2016. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief:
Supplemental ticket for 2016 Chev 2016-80000582.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Upon application of Michelle Rhodes whose address is 10775 Rosedale Road, Rosedale WV 26636 who proved to the satisfaction of the Commission that they are aggrieved by an erroneous assessment of \$990.00 on 2005 Saturn in Center District, Gilmer County, West Virginia, assessed at \$990.00 in and for the year 2017. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the year 2017. If it has been paid, the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the effected tax year, the Sheriff shall allow a credit on future taxes payable.

The Commission certifies the following facts upon which it grants said relief:
Taxpayer turned in by mistake, gave to son and titled in VA, 3-2016.

A copy, attest: Jean Butcher, Clerk

Gerald Hough, Pros. Attorney

Gary L. Wolfe, Assessor

Larry B. Chapman, President

APPROVED

April 6, 2018

GILMER COUNTY COMMISSION

Commissioner Brian Kennedy entered a motion to approve the estate qualifications, appraisements and final settlements as entered by County Clerk, Jean Butcher in vacation of said Commission. Motion carried by unanimous vote.

See File # 597

Due to the need for a revision of the Levy Estimate (Budget) of the Gilmer County Commission the following was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio Chief Inspector of public offices, the County Commission does hereby direct the budget to be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on budget revision number 12. A copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Commissioner Brian Kennedy and duly seconded by Commissioner John D. Bennett the vote thereon was as follows:

| | |
|-------------------------------|-----|
| Larry B. Chapman, President | YES |
| John D. Bennett, Commissioner | YES |
| Brian Kennedy, Commissioner | YES |

WHEREUPON, Larry B. Chapman declared said resolution duly adopted and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the President, Larry B. Chapman is authorized to fix his signature on the attached "Request for Revision of Approved Budget" to be sent to the State Auditor for approval.

See file for list of revisions for Revenues and Expenditures.

See File # 598

Angel Ball, Payroll/Bookkeeper presented interline budget transfers for multiple accounts for the General County Fund for the 2017-2018 Fiscal Year.

Pursuant to the request for a budget interline transfer for multiple accounts for the General County Fund for 2017-2018 FY. Commissioner Brian Kennedy entered a motion to approve the interline budget transfer as requested Angel Ball, Payroll/Bookkeeper. Motion carried by unanimous vote.

See file for list of revisions for Revenues and Expenditures.

See File # 599

Commissioner Brian Kennedy entered a motion to approve invoices as presented. Motion carried by unanimous vote.

Ordered that the sum of \$22,627.53 be allowed from GENERAL COUNTY FUND for 1st payroll for April being check number 45361-45368 and 702351-7052369 inclusive.

Ordered that the sum of \$57,026.42 be allowed from GENERAL COUNTY FUND for services rendered, being check number 43042-43063 inclusive.

Ordered that the sum of \$828.87 be allowed from ASSESSOR VALUATION FUND for services rendered, being check 1837-1839 inclusive.

Ordered that the sum of \$561.00 be allowed from CONCEALED WEAPONS FUND for services rendered, being check number 919-923 inclusive.

Ordered that the sum of \$1,490.69 be allowed from COAL SEVERANCE FUND for services rendered, being check number 549-550 inclusive.

Ordered that the sum of \$23.50 be allowed from MAGISTRATE COURT FUND for services rendered, being check number 531.

Ordered that the sum of \$147.00 be allowed from WEST VIRGINIA DEPUTY SHERIFF RETIREMENT FUND for services rendered, being check number 246.

Ordered that the sum of \$1,383.70 be allowed from HOME CONFINEMENT FUND for services rendered, being check number 542-544 inclusive.

Commissioner John D. Bennett entered a motion to approve the minutes for the February 16, 2018, March 2, 2018 and March 16, 2018 Commission meetings with reading of the minutes waived. Motion carried by unanimous vote.

The Gilmer County Health Department Board filed the minutes for January 2, 2018.

See File # 600

The Gilmer County Public Service District Board filed the minutes for February 12, 2018.

See File # 601

The Wes-Mon-Ty RC & D Board of Directors filed minutes for February 20, 2018 and March 20, 2018.

See File # 602

The Gilmer County Historical Society Board filed the minutes for March 15, 2018.

See File # 603

Commissioner Brian Kennedy entered a motion to table the Courthouse roof issue until the next meeting on April 20, 2018. Motion carried by unanimous vote.

Notification was received from Region VII Planning and Development Council proclaiming the month of April as Fair Housing Month for the State of West Virginia.

Commissioner Brian Kennedy entered a motion to allow Commission President Larry B. Chapman to sign the resolution on behalf of the Commission proclaiming the month of April 2018 as Fair Housing Month in Gilmer County. Motion carried by unanimous vote.

See File # 604

Commissioner Brian Kennedy entered a motion to accept the Letter of Agreement with Lewis County to provide E911 Telephone Answering Service and Emergency Dispatch Service for Gilmer County. Motion carried by unanimous vote.

See File # 605

After much discussion on selling the Gilmer County Historical Society/Holt House, the Commission has decided they would like to have input from the community.

Commissioner Brian Kennedy entered a motion for Commission President Larry B. Chapman to sign the Annual Agreement with the West Virginia University Cooperative Extension Service and the County Extension Service Committee for the fiscal year beginning July 1, 2018. Motion carried by unanimous vote.

See File # 606

Due to the renovations being complete, Angel Ball, Payroll/Bookkeeper will finalize the Courthouse Facilities Improvement Grant by requesting reimbursement for the work.

Commissioner John D. Bennett entered a motion for Commission President Larry B. Chapman to sign the reimbursement form for the Courthouse Facilities Improvement Grant for the work that has been completed. Motion carried by unanimous vote.

See File # 607

Commissioner Brian Kennedy entered a motion for Commission President Larry B. Chapman to sign the Grant Award Notice for the Community Development Block Grant for Broadband Development in Gilmer County. Motion carried by unanimous vote.

See File # 608

County Clerk, Jean Butcher informed and presented the Commission with a Petition for Writ of Mandamus that Prosecuting Attorney Gerald B. Hough has filed in Circuit Court.


See File # 609

Notification was received from West Virginia State Auditor's Office approving the Levy Estimate (Budget) for fiscal year 2018-2019.

See File # 610

The Commission having completed the business of the present term, a motion for adjournment was entered by Commissioner Brian Kennedy at 11:00 a.m. Motion carried by unanimous vote.

Ordered that the Commission does now adjourn and to meet again in Special Session on April 17, 2018 at 9:00 a.m.

 , President